

# **canpfa**

*Dedicated to Creating the Future of Aging Services*

## **Testimony of the Connecticut Association of Not-for-profit Providers For the Aging**

**Submitted to the Select Committee on Veterans' Affairs**

**March 2, 2010**

**Regarding**

### **House Bill 5351, An Act Concerning Prescription Drug Benefits for Veterans in Nursing Home Facilities**

The Connecticut Association of Not-for-profit Providers for the Aging (CANPFA) is an organization of over 150 non-profit providers of aging services representing the full continuum of long term care including fifty-one skilled nursing facilities. We respectfully submit the following testimony regarding *House Bill 5351, An Act Concerning Prescription Drug Benefits for Veterans in Nursing Home Facilities*.

While not objecting to the premise of the bill, we do have some concerns regarding how this proposal would fit within the current state and federal regulations regarding pharmaceutical services provided to nursing home residents.

*Hold to correct*

The relevant federal and state laws and regulations provide that a nursing facility must provide pharmaceutical services adequate to meet the needs of each resident, but they do not give provide an express right for the resident to choose any pharmacy. Furthermore, the Connecticut Public Health Code (§ 19-13-D8v) requires all drug dispensing and distribution functions in a nursing facility to be conducted through either (i) an institutional pharmacy (a pharmacy within the facility), or (ii) a community pharmacy that has a *written agreement* with the facility that meets the requirements listed in the regulations.

While HB 5351 appears to attempt to address state regulatory compliance issues by stating that the nursing home "may require such prescription drugs be dispensed and administered according to the facility's policies," we are concerned that the federal rules and policies that regulate the Department of Veteran's Affairs (or Veterans Administration) may not be able to conform to every skilled nursing facility's policies and procedures or to meet the state public health code requirements. Therefore, we must raise the question of whether there potentially is a conflict between federal and state requirements within this proposal. We would urge the Committee to seek an answer to this concern before passing this new mandate on skilled nursing facilities.

We thank you for allowing us to comment on this bill.

Respectfully submitted,  
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